

JS-6

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14
15 300 CARTONS, MORE OR LESS,
16 CONTAINING *SAUSSUREA COSTUS*,
17 IMPORTED FROM THE PEOPLE'S
REPUBLIC OF CHINA,

18 Defendants.

19 SOLSTICE ACME, INC., d/b/a

20 SOLSTICE MEDICINE CO.,

21 Claimant.
22
23

Case No. CV 11-01653 DMG (Ex)

JUDGMENT

24 Pursuant to the Court's Order re Cross-Motions for Summary Judgment, issued on
25 December 19, 2011, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that
26 judgment is entered in favor of Defendant 300 Cartons, More of Less, Containing
27 *Saussurea Costus*, Imported from the People's Republic of China (the "Defendant
28

Property”) and Claimant Madison One Acme, Inc. d/b/a Solstice Medicine Co., and against Plaintiff United States of America, which shall take nothing, as follows:

1. Claimant is the lawful owner of the Defendant Property;

2. The Defendant Property is not subject to forfeiture pursuant to the Endangered Species Act or the Convention on International Trade in Endangered Species of Wild Flora and Fauna;

3. Plaintiff shall release and return the Defendant Property to Claimant or Claimant’s agent forthwith;

4. Plaintiff is responsible for all charges and other costs incurred in connection with the seizure and storage of the Defendant Property;

5. The Court finds that there was reasonable cause for the seizure of the Defendant Property and this Judgment shall be construed as a certificate of reasonable cause pursuant to 28 U.S.C. § 2465(a)(2);


6. In accordance with 28 U.S.C. § 2465(b)(1)(A), Claimant is awarded and the Government shall pay the attorneys’ fees and costs reasonably incurred by Claimant;

7. Claimant shall comply with Local Rule 54-3 with regard to its claim for costs; and

8. Absent an agreement between the parties regarding the amount of the attorneys’ fees, Claimant may file, by no later than February 24, 2012, a regularly noticed motion and supporting declaration for the amount of attorneys’ fees to be awarded.

IT IS SO ORDERED.

DATED: February 3, 2012


DOLLY M. GEE
UNITED STATES DISTRICT JUDGE